



DOCKET NO. DEP5249

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Sutton et al.

Serial No.: 10/826,186

Art Unit: 3738

Filed : April 16, 2004

Examiner: tbd

For : Intervertebral Disc With Monitoring and Adjusting Capabilities

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

September 9, 2004

(Date of Deposit)

Amy Schick

(Name of person mailing)

Amy Schick

(Signature)

September 9, 2004

(Date of Signature)

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR EXTENSION OF TIME
AND AUTHORIZATION TO CHARGE
DEPOSIT ACCOUNT THEREFOR

Dear Sir:

Applicant(s) petition(s) the Commissioner of Patents and Trademarks to extend the time for response to the Notice to File Missing Parts dated June 28, 2005 for One (1) month(s) from August 28, 2004 to September 28, 2004. A response to the aforesaid Notice is being filed concurrently herewith.

Please charge Deposit Account No. 10-0750/DEP5249/TMD in the name of Johnson & Johnson for the cost of filing this Petition. Three copies of this Petition are enclosed.

Respectfully submitted,

Thomas M. DiMauro

Thomas M. DiMauro
Reg. No. 35,490
Attorney for Applicant(s)

09/14/2004 EHAILE1 00000018 100750 10826186
01 FC:1251 110.00 DA

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(508) 880-8401
DATE: